

PATENT #4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
ACTING AS THE DO/EO/US

In re:	Patent application of	:	Attorney Docket No.:
	William Ian David and Kenneth Shankland	:	9267-8
Serial No.:	09/463,881	:	Group Art Unit:
		:	Not Yet Assigned
I.A. Filing		:	
Date:	31 July 1998	:	Examiner:
		:	Not Yet Assigned
For:	Method and Apparatus for Determining	:	International Application
	Molecular Crystal Structures	:	No.: PCT/GB98/02316

**RESPONSE TO NOTIFICATION OF MISSING
REQUIREMENTS UNDER 35 U.S.C. 371 IN THE
UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

Assistant Commissioner of Patents
BOX PCT
Washington, D.C. 20231

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office which was mailed on 3 April 2000, the response to which is due on or before 3 May 2000, the following paper is submitted herewith:

* * * * *

CERTIFICATE OF MAILING

UNDER 37 C.F.R. 1.10

EXPRESS MAIL Mailing Label Number: EM299224571US

Date of Deposit: 18 April 2000

I hereby certify that this paper, along with any paper referred to as being attached or enclosed, and/or fee is being deposited with the United States Postal Service, "EXPRESS MAIL - POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10, on the date indicated above, and is addressed to: Assistant Com. for Patents, Washington, D.C. 20231.

Dyane Webb
Signature of person mailing paper

Dyane Webb
Type or print name of person

1. Declaration and Power of Attorney;
2. Copy of the PCT/DO/EO/905.

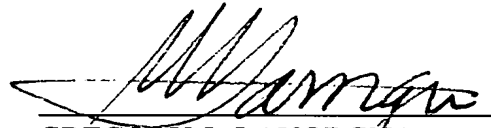
Authorization to charge the \$65.00 surcharge for the late filing of the Declaration and Power of Attorney to Account No. 19-1135 was given in the Transmittal Letter to the DO/EO/US (copy enclosed). Applicant is entitled to pay the reduced fee for the late filing of the Declaration and Power of Attorney by virtue of the Verified Statement Claiming Small Entity Status - Small Business Concern submitted 29 February 2000. Please charge any fee deficiency required by this paper or credit any amount paid in excess to Account No. 19-1135.

This paper is submitted in duplicate.

Respectfully submitted,

WILLIAM IAN DAVID
AND KENNETH SHANKLAND

By:



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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
Address: ASSISTANT COMMISSIONER FOR PATENTS
Box PCT
Washington, D.C. 20231

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/463881	DAVID W	9267-8

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INTERNATIONAL APPLICATION NO.

PCT/GB98/02316

I.A. FILING DATE

PRIORITY DATE

31 JUL 98

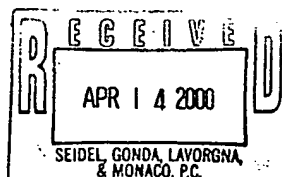
31 JUL 97

DATE MAILED: 03 APR 2000

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as

- ☐ a Designated Office (37 CFR 1.49)
- ☒ an Elected Office (37 CFR 1.495)
- ☒ U.S. Basic National Fee.
- ☒ Copy of the international application in:
 - ☐ a non-English language.
 - ☒ English.
- ☐ Translation of the international application into English.
- ☐ Oath or Declaration of inventors(s) for DO/EO/US.
- ☐ Copy of Article 19 amendments.
- ☐ Translation of Article 19 amendments into English.
- ☐ The International Preliminary Examination Report in English and its Annexes, if any.
- ☐ Translation of Annexes to the International Preliminary Examination Report into English.
- ☒ Preliminary amendment(s) filed 31 JAN 00 and
- ☒ Information Disclosure Statement(s) filed 31 JAN 00 and
- ☐ Assignment document.
- ☐ Power of Attorney and/or Change of Address.
- ☐ Substitute specification filed
- ☐ Verified Statement Claiming Small Entity Status.
- ☒ Priority Document.
- ☒ Copy of the International Search Report ☒ and copies of the references cited therein.
- ☐ Other:



2. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- ☐ a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
 - ☐ The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- ☐ b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- ☐ c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
 - ☒ The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- ☐ d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ _____ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due. See attached PTO-875.

ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY ☐ 21 OR ☒ 31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes **MUST** be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

A copy of this notice MUST be returned with this response.

Enclosed:

☒ PCT/DO/EO/917

☐ Notice of Defective Translation

☐ PTO-875

FORM PCT/DO/EO/905 (December 1997)

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